

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
UNITED STATES OF AMERICA,

-against-

NYSHIEM SPENCER, et al.,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 3/26/2020

20 Cr. 78 (AT)

**ORDER**

The Court is in receipt of several applications from Defendants. ECF Nos. 60, 64, 65, 66.

In light of the COVID-19 public health crisis, the Court adopted emergency rules for conducting conferences and proceedings in criminal cases. *See* Rule 2(B) of the Court's Emergency Individual Rules and Practices in Light of COVI-19.

Accordingly, the parties making the applications at ECF Nos. 60, 64, and 66 are directed to confer with the Government, and submit letters to the docket stating the positions of both Defendant and the Government on "whether the Court can, consistent with the U.S. Constitution, Federal Rules of Criminal Procedure (*see, e.g.*, Rules 5(f), 10(b) & (c), and 43), and any other relevant law, conduct the matter by **telephone** . . . and, if applicable, whether the Defendant consents to appearance in that manner or to waiving his or her appearance altogether." Rule 2(B) of the Court's Emergency Individual Rules (emphasis added).

Counsel for Allan Gonzalez is directed to file a letter stating whether Gonzalez waives any form of appearance and consents to the modification of his bail conditions as requested at ECF No. 65, on the papers, without a telephonic hearing.

SO ORDERED.

Dated: March 26, 2020  
New York, New York



ANALISA TORRES  
United States District Judge